

Virginia Spencer Scott  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AMY J. NEEDHAM,

Plaintiff,

vs.

WILLIAM P. MULLEN, Sheriff of Allegheny

County,

LIEUTENANT JOHN KEARNEY,

DETECTIVE JARED KULIK,

ALLEGHENY COUNTY CORRECTIONAL

HEALTH SERVICES, and

ALLEGHENY COUNTY

Defendants.

Civil Action No. 13-01829  
The Honorable Maurice Cohill  
Chief Magistrate Judge Lisa Lenihan

APPEARANCES: VIRGINIA SPENCER SCOTT, ESQ. on behalf of Allegheny County.

**COUNTY RESPONSE TO PLAINTIFF'S MOTION FOR LEAVE TO FILE  
SECOND AMENDED COMPLAINT**

Pursuant to this Court's order of June 2, 2014, Defendant Allegheny County files this  
RESPONSE.

1. Plaintiff filed a First Amended Complaint on February 28, 2014. (ECF #17.)
2. Allegheny County and co-defendant Allegheny Correctional Health Services have motions to dismiss pending. (ECF # 21, 25 and 23.)
3. Allegheny County's motion raised five arguments for dismissal of various portions of Plaintiff's First Amended Complaint.
4. Plaintiff has now requested leave to file a 2<sup>nd</sup> amended complaint. (ECF #38.)
5. Because Plaintiff's proposed 2<sup>nd</sup> amended complaint disposes of all but two of the issues

1 raised in the County's Motion to Dismiss, Allegheny County does not oppose the granting of  
2 Plaintiff's motion for leave.

3 6. Should the Court grant Plaintiff leave to file an amended complaint, Allegheny County  
4 will file a renewed motion to dismiss on the two remaining issues in dispute (Plaintiff's claims  
5 averring a cause of action for violation of the Pennsylvania constitution, and Plaintiff's averments  
6 of a "special relationship").  
7  
8

9 WHEREFORE, Allegheny County does not oppose the granting of Plaintiff's motion for  
10 leave to file a 2<sup>nd</sup> amended complaint.  
11

12 Respectfully submitted,

13 /s/ Virginia Spencer Scott

14 Virginia Spencer Scott

15 Assistant County Solicitor

16 Pa. I.D. No. 61647

17 ALLEGHENY COUNTY LAW  
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